

12 MAY 2006

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application : Jörgen Carlsson, et al.
Serial No. : 10/563,310
Filed : December 29, 2005
For : POLYPEPTIDES HAVING BINDING
AFFINITY FOR HER2

Examiner :
Attorney Docket : 102821-202
Group Art Unit :
Confirmation No. : 6946
Customer No. : 27267



I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on

10 MAY 2006

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY WITH MISSING REQUIREMENTS

Dear Sir:

With respect to the Notification of Missing Requirements Under 35 USC §371, mailed April 11, 2006, Applicants submit herewith a signed Combined Declaration and Power of Attorney for Joint Inventors relating to the above-identified non-provisional patent application.

In the Notification of Missing Requirements mailed with respect to the above-identified U.S. National Phase patent application on April 11, 2006, it was requested that a computer-readable form of the sequence listing be submitted. In reply, Applicants submit herewith a copy of the sequence listing in paper and computer-readable form (CRF). Applicants herein request the sequence listing be entered into the above-identified application.

Applicants state that with regard to the Sequence Listing, the information recorded in computer readable form is identical to the written sequence listing. Applicants submit no new matter is added herewith.

Please charge the surcharge of \$65.00 for filing the Declaration to Deposit Account No. 23-1665 as well as any other fees due with respect to this Response.

An additional copy of this Transmittal Letter is enclosed along with a copy of the Notification to File Missing Requirements.

If the Examiner believes a telephone conference would aid in the continued prosecution of this application, the Examiner is invited and encouraged to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

Jörgen Carlsson, et al.

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

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Date: 10 MAY 2006

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/563,310 | Jorgen Carlsson | 102821-202 |

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|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/SE04/01049

27267
 WIGGIN AND DANA LLP
 ATTENTION: PATENT DOCKETING
 ONE CENTURY TOWER, P.O. BOX 1832
 NEW HAVEN, CT 06508-1832

RECEIVED
 APR 17 2006

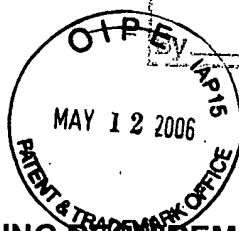
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|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 06/30/2004 | 07/04/2003 |

CONFIRMATION NO. 6946

371 FORMALITIES LETTER



OC000000018501641



Date Mailed: 04/11/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/29/2005
- Copy of the International Search Report filed on 12/29/2005
- Preliminary Amendments filed on 12/29/2005
- Information Disclosure Statements filed on 12/29/2005
- Oath or Declaration filed on 12/29/2005
- Small Entity Statement filed on 12/29/2005
- U.S. Basic National Fees filed on 12/29/2005
- Priority Documents filed on 12/29/2005
- Specification filed on 12/29/2005
- Claims filed on 12/29/2005
- Abstracts filed on 12/29/2005
- Drawings filed on 12/29/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/563,310 | PCT/SE04/01049 | 102821-202 |

FORM PCT/DO/EO/905 (371 Formalities Notice)